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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,443	12/12/2000	Kary K. Burns	14999.19	5475

7590 03/17/2006

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EXAMINER	
JAMAL, ALEXANDER	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/735,443	BURNS, KARY K.	
	Examiner	Art Unit	
	Alexander Jamal	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18 and 26-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Based upon the submitted amendment filed 12-29-2005 (via RCE), the examiner notes that claim 12 has been amended and arguments submitted.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1-8,10-18,26-29,32,** rejected under 35 U.S.C. 103(a) as being unpatentable over Burg et al. (6456699), and further in view of Isensee et al (5815153).

As per **claim 1,** Burg discloses a system for sending and receiving content from at least one server connected to a network (a computer and telephone interface to internet), the system comprising a first access device (standard telephone) with a telephone keypad that signals a voice browser (IVR system) to retrieve specified classes of information (HTML) (Col 3 lines 20-45, ABSTRACT). The system further comprises a second device (computer 84 in Fig. 5) coupled to the network. Burg discloses the system structure in Fig. 5. He further discloses that servers 82 and 85 may be implemented as one server with multiple functions (Col 8 lines 55-65). Burg further discloses an

embodiment in which a graphical representation of the IVR menu choices are graphically displayed on the computer in a web-page format that allows the user to request information from the same database as the telephone (Col 8 lines 40-60). The IVR server comprises a 'voice browser' portion that converts speech received from the phone into a request signal based upon the user input (voice or keypad) (Col 3 lines 20-26). The request from the voice browser is an HTML code request that is passed to a correlating unit (within server 82 or 85) that correlates the html code with the classes of information stored in the database (Col 7 line 58 to Col 8 line 10). The computer may implement a graphical representation (web page) of the IVR menu structure with icons being associated with classes of information in the same manner as the keys of a telephone keypad are associated with said classes of information (Col 9 lines 5-15). Based upon user input, the computer may send out a request (HTML code) to the web server (via a URL) (Col 8 lines 34-50). Based upon correlation of HTML code requests with the classes of information, the IVR or WEB server (which may be combined as one unit) will access the appropriate classes of information and send them to the requesting device. However, Burg does not disclose that the computer comprises a graphical interface with an icon group arranged similarly to the keypad of the first access device (telephone).

Isensee discloses a graphical user interface for a computer that may be arranged with a set of icons arranged in the same shape as a standard telephone keypad (Col 4 lines 15-26). Isensee teaches that it is desirable to have GUI interfaces on computers appear similar to the situations experienced in real life (Col 1 lines 50-60). Isenee's computers inherently comprise software for the purpose of controlling the hardware. It would have

been obvious to one of ordinary skill in the art at the time of this application that the interface (GUI) of the computer disclosed by Burg could be made to resemble the telephone (including the standard telephone keypad) for the advantage of improving the user interface of the computer.

As per **claims 6,** claim rejected for same reasons as claim 1 rejection. Burg's phone inherently comprises an output device for the purpose of interfacing with the phone user. The servers 82 and 85 (BURG: Fig. 5) provide requests for specific classes of information.

As per **claim 12,** claim rejected for same reasons as claim 6 rejection.

As per **claims 26,32,** claims rejected for same reasons as claim 6 rejection. Additionally, Burg in view of Isensee is implemented on computers that inherently require software for the purpose of controlling the hardware.

As per **claims 2,4,7,** the first access device (telephone) comprises a keypad (display device, or alphanumeric touchpad) on which the user interface is displayed.

As per **claim 3,** claim rejected for the same reasons as the claim 6 rejection.

As per **claim 5,** claim rejected for same reasons as claim 6 and 4 rejections.

As per **claim 8,** in Burg's system, the interface of computer 84 (Fig. 5) is generated by web server 82. Burg in view of Isensee discloses a system in which the

computer comprises an improved interface (in the form of a graphical keypad). Since the graphical keypad must by correlated to the HTML links in the webserver for the graphical links to function, the graphical keypad must be inherently generated by the server (where the HTML contents originate from) in order to correlate the icons with the HTML documents (such as during the web translation process in BURG: Col 9 lines 1-6).

As per **claim 10,** Burg's system comprises a telephone (Col 10 lines 30-41) with an outputting device. A speaker is inherent to a telephone for the purpose of allowing the user to communicate (hear) with the network.

As per **claim 11,** Burg's access device comprises a computer system 105 (Fig. 6).

As per **claim 13,18,29,** Burg's system comprises computer 105 (Fig. 6) with an output display device to display the user interface (Col 9 line 62 to Col 10 line 10).

As per **claim 14,** claim rejected for same reasons as claim 12 rejection.

As per **claim 15,** Burg's computer is a WWW browsing capable computer (Computer 105 and Web Server 103 in Fig. 6). As such it inherently comprises a mouse (pointing capable device) for the purpose of selecting graphical buttons and hyperlinks.

As per **claim 16,** in a telephone, the 'selection' of a key is the same as pressing that button on the keypad.

As per **claim 17,** Burg's system works over the internet, as such, a request is transmitted over a network system (Figs. 5,6).

As per **claims 27,28,** claims rejected for the same reasons as claim 12 rejection. The keypad of a standard telephone generates DTMF signals.

As per **claims 30,31,** the voice browser converts requested information into speech that is output (via an audio output on the telephone) to the user (Col 3 lines 20-50).

4. **Claims 9** rejected under 35 U.S.C. 103(a) as being unpatentable over Burg et al. (6456699) and Isensee et al (5815153) as applied to claims 6, and further in view of Bolduc et al. (6157841).

As per **claims 9,** Burg and Isensee disclose applicant's claims 6,26, however they do not disclose the access device (telephone) comprising a display.

Bolduc discloses a telephone that comprises a display and is able to send and receive HTML requests (Col 4 lines 4-20). The HTML code is sent to a voice browser that may convert the HTML code into speech that is output (via an output device) on the telephone (Col 3 lines 15-31). It would have been obvious to one of ordinary skill in the art at the time of this application that the access device (telephone) could comprise a display and HTML interface for the purpose of giving the user an expanded interface (the visual display) that can directly interface with HTML documents.

Response to Arguments

5. Applicant's arguments filed 12-29-2005 have been fully considered but they are not persuasive.

As per applicants arguments (remarks page 9) that the Burg reference does not disclose the access module, correlating unit, and a correlation data structure, examiner disagrees. Burg discloses a system with a computer interface and an IVR interface (Burg: Fig. 5). Both the computer and IVR interface draw data (via the servers) from databases 80 and 81. The Databases 80 and 81 contains HTML document content (Col 1 lines 55-65) (Col 7 lines 50-65) that is accessed by either the computer or IVR system (Col 8 lines 4-9,34-51) via servers 82,85 (which may be implemented as a single server). Examiner reads the 'access module' of Burg as comprising any interface devices that interface terminals 84 and 87 with servers 82 and 85. An access device is inherent to the system for the purpose of letting the terminals access the servers. A 'correlation data structure' is created that correlates the inputs (via the keypad for example) from the telephone IVR system to the links within an HTML document (webpage) (Col 5 line 58 to Col 6 line 25). The links are pointers to database information. The data base information can comprise HTML documents (Col 7 lines 60-65) that are associated with webpage links or a 'class of information'. As such, since either the web server or IVR server may access the data (which may be HTML data), the examiner reads any request from the telephone or computer as an 'HTML request' to an 'access device' within either the IVR or webserver. Examiner reads a 'voice browser' as any device within the telephone or IVR server that translates the keypad output into a menu level (HTML code request) in the correlation data structure that correlates the IVR menu structure with the webpage HTML structure with HTML data from the databases. The 'access device' comprises a correlation data structure that provides the correlation between each IVR

menu option (as accessed by the telephone), each webpage link, and the HTML data stored in the databases associated with each link. The request signal from the telephone is translated to an HTML code that points the server to the correct location of data (which may be an HTML document) in the databases by a weblink that is associated with a menu level in the IVR system. The 'correlation module' is any device in the server that performs the function of retrieving the HTML data from the databases based upon the association with the IVR menu level with the HTML link, with the HTML data.

As per applicant's argument that Burg does not disclose the retrieval of HTML (remarks page 10), examiner disagrees. Burg discloses that the databases may contain (Col 7 lines 50-65) HTML documents.

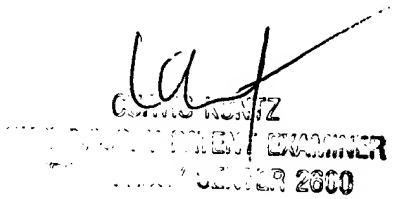
As per applicant's arguments that neither the computer or telephone of Burg generates an HTML code (remarks page 10), examiner disagrees. Examiner reads HTML code as a pointer or URL link. The IVR system (voice browser) will translate the keypad input into an IVR menu level that is associated with a URL which is an HTML code.\

As per applicant's arguments (page 10) that burg does not disclose sending classes of information to the requesting device, please refer to examiners responses to arguments, first paragraph.

As per applicant's arguments (pages 11-13) about claims 6-12,26,32,9 please refer to examiners responses to arguments and clarification of the 'HTML Code', access unit, correlating unit, correlation structure, and voice browser in the first paragraph of the response to arguments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498. The examiner can normally be reached on M-F 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499. The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.



AJ
March 15, 2006